IN THE HIGH COURT OF JUDICATURE OF BOMBAY

APPELLATE SIDE

APPEAL FROM ORDER NO. 354 OF 2006
IN
S.C. SUIT NO. 1772 OF 2006

Arvind Kumar Aggarwal .. Appellant
versus
Utility Premises Pvt.Ltd & ors. .. Respondents

...
Mr.M.L. Bansal for the appellant.
Mr.V.A. Thorat i/b Dalal & Co. for the respondent.

A N D

APPEAL FROM ORDER NO. 355 OF 2006
IN
S.C. SUIT NO. 1773 OF 2006

Mr.Bijay Kumar Halan & Ors. .. Appellants
versus
Utility Premises Pvt.Ltd & ors. .. Respondents

...
Mr.M.L. Bansal for the appellant.
Mr.V.A. Thorat i/b Dalal & Co. for the respondent.

A N D

APPEAL FROM ORDER NO. 356 OF 2006
IN
S.C. SUIT NO. 1774 OF 2006

Mr.Bijay Kumar Halan & Ors. .. Appellants
versus
Utility Premises Pvt.Ltd & ors. .. Respondents

...
Mr.M.L. Bansal for the appellant.
Mrs.Kranti Kalekar for the respondent no.1.
Mr.Mahendra Shah i/b Dalal & Co. for the respondent no.2.

CORAM : A.S. Bagga, J
(Vacation Court)

DATED : 24th May 2006.

P.C.:

1. Heard Shri M.L. Bansal, learned counsel for the appellants, Shri V.A. Thorat for the respondent no.1 and Shri Shah for the respondent no.2.

2. Mr.Thorat, learned counsel for the defendant no.2 makes a statement that no further third party interest would be created on the flat in the building until 8th June 2006. The matter shall be placed before the learned City Civil Judge on 6th June 2006 on which date he shall proceed with the application filed by the plaintiffs under the provisions of Order 39 Rule 2. The order on the said injunction application shall be passed as expeditiously as possible and preferably within one month from 6th June 2006. Learned Judge shall be at liberty to grant ad-interim orders in case material marrants such relief notwithstanding the rejection of ad-interim relief earlier.

3. The statement made by the learned counsel for the defendant no.2 needless to say would be without prejudice to the rights of defendants to make submissions and to raise points whcih he would be at liberty to raise in the application for temporary injunction.

4. As nothing survives in these appeals, they are disposed of.

(A.S. BAGGA, J)